

ACT 1106

AN ACT to Amend Arkansas Code Annotated §§ 25-15-204 and 25-15-203 to Provide Increased Availability of Agency Rules and Regulations for Public Inspection; and for Other Purposes.

Be It Enacted by the General Assembly of the State of Arkansas:

SECTION 1. Arkansas Code § 25-15-204(d) is hereby amended to read as follows:

"(d)(1) Every agency, including those exempted under § 25-15-202, shall file with the Secretary of State and the Arkansas State Library a certified copy of each rule and regulation adopted by it.

(2) The Secretary of State shall keep a register of the rules open to public inspection, and it shall be a permanent register."

SECTION 2. Arkansas Code § 25-15-203(b) is hereby amended to read as follows:

"(b) No agency rule, order, or decision shall be valid or effective against any person or party, nor may it be invoked by the agency for any purpose, until it has been filed and made available for public inspection as required in this subchapter. This provision shall not apply in favor of any person or party with actual knowledge of an agency order, or decision."

SECTION 3. All provisions of this act of a general and permanent nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code Revision Commission shall incorporate the same in the Code.

SECTION 4. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to this end the provisions of this act are declared to be severable.

SECTION 5. All laws and parts of laws in conflict with this act are hereby repealed.

APPROVED: April 13, 1993.